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Attorneys for Specially Appearing Defendant  
DAIMLER AG

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**

San Francisco Division

SHELLEY P. ROBINSON et al.,

Plaintiffs,

v.

DAIMLERCHRYSLER AG et al.,

Defendants.

No. 3:07cv03258-SC

**SPECIALLY APPEARING DEFENDANT  
DAIMLER AG'S OBJECTIONS TO  
PLAINTIFFS' EVIDENCE IN  
OPPOSITION TO MOTION TO DISMISS  
FOR LACK OF PERSONAL  
JURISDICTION**

Date: November 30, 2007  
Time: 10:00 a.m.  
Courtroom: 1

Hon. Samuel Conti

Specially-appearing defendant Daimler AG, without waiving its objections with respect to personal jurisdiction, objects to evidence submitted by plaintiffs in support of Plaintiffs' Opposition to Defendant Daimler AG's Motion to Dismiss for Lack of Personal Jurisdiction.

Specifically, with respect to the Declaration of Darren Van Blois, Daimler AG objects as follows:

1. Exhibit 1, a copy of *Tracinda Corp. v. DaimlerChrysler AG*, 364 F. Supp. 2d 362 (D.Del. 2005), is irrelevant, as DaimlerChrysler Motors Company, LLC was not a party to that case and no findings of fact were made by the Court relevant to its function, structure, or entity status.

2. Exhibit 2, a web page purportedly printed from the California Secretary of State's internet site, is not authenticated. *Benson v. Crest Energy, Inc.*, 2007 WL 3119743, at \*2 (E.D. Cal. 2007) ("a print-out of an internet search on the California Secretary of State website ... is not authenticated.") Therefore, paragraph 2 of Darren Van Blois' declaration also lacks foundation.

3. Exhibit 3, a web page from *Wikipedia.com*, is not authenticated and constitutes hearsay. See, e.g., *Steele v. McMahon*, 2007 WL 2758026, at \*8 (E.D. Cal. Sept. 21, 2007); *Davage v. City of Eugene*, 2007 WL 2007979 (D. Or. July 6, 2007). Therefore, paragraph 3 of Darren Van Blois' declaration also lacks foundation.

4. Exhibit 4, described by Mr. Van Blois as "a print-out of a blank Application Form for reimbursement for vehicle modification expenses under the 'DaimlerChrysler Motors Company LLC Automobility Program'" is irrelevant.

5. Exhibit 5, a State of Maine Court's Decision and Order relating to a vehicle warranty repair, is irrelevant.

Dated: November 16, 2007

Respectfully submitted,

CARROLL, BURDICK & McDONOUGH LLP

By /S/

Matthew J. Kemner  
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DAIMLER AG